

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 JANICE D. HARRIS,

Case No. C11-2163-TSZ-JPD

10 Plaintiff,

REPORT AND RECOMMENDATION

11 v.

12 MICHAEL J. ASTRUE, Commissioner of
13 Social Security,

14 Defendant.

15 This matter comes before the Court upon the parties' stipulated motion to remand this
16 case for further administrative proceedings pursuant to sentence six of the Social Security Act,
17 42 U.S.C. § 405(g). Dkt. 14. Specifically, sentence six of 42 U.S.C. § 405(g) provides that "the
18 court may, on motion of the Commissioner made for good cause shown before he files his
19 answer, remand the case to the Commissioner for further action by the Commissioner of Social
20 Security. . ." In the instant case, the parties assert that "the record remains incomplete and
21 cannot be filed with this Court. Therefore, good cause exists to support this request for remand."
22 Dkt. 14 at 2.

23 Based on the stipulation of the parties, the Court recommends that this case be
24 REVERSED and REMANDED for further administrative proceedings. On remand, the Appeals

Council shall continue to compile and locate the administrative record to insure a complete record can be filed. If the record cannot be assembled in a reasonable period of time, the Appeals Council shall remand the case for a de novo hearing.

DATED this 10th day of April, 2012.

James P. Donohue

JAMES P. DONOHUE
United States Magistrate Judge